

### **REMARKS**

The present application is directed to compositions comprising electroprocessed materials and substances, and methods of making and using the same.

Claims 1, 6, 9, 24-32 and 36-42 are currently pending in this application. Claims 2-5, 7-8, 10-23 and 33-35 are cancelled without prejudice. Claims 1, 25-26, 28-29 and 36 are currently amended. Claims 37-42 are new. Amendments herein do not introduce any new matter and support for the amendments and new claims are found throughout the specification. Favorable consideration of the currently pending claims is respectfully requested in light of the following remarks.

#### ***Claim rejections under 35 U.S.C. §103(a)***

In the Non-Final Office Action mailed January 19, 2007, the Examiner rejected Claims 1, 6, 9, 24-32 and 36 under 35 U.S.C. §103(a) as being unpatentable over Coffee (WO 98/03267), Martin (US 4,043,331), Doshi et al., (Electrospinning process and applications of electrospun fibers), and Murphy, (US 2002/0172705) in view of Mechanic (US 5,332,475). Applicants respectfully assert that the amendments to the Claims overcome the rejection.

Applicants respectfully submit the instant claims require **simultaneously electroprocessing** a solution comprising one natural material and two or more synthetic materials to form an electroprocessed material. Support for the above amendment can be found on, at least, pages 65-66 (Examples 1 and 2) of the instant application. Examples 1 and 2 of the instant application disclose combining **PGA, PLA and collagen** in solution and **simultaneously electroprocessing** the solution to form an electroprocessed material. Hence, the **electroprocessed material** comprises **PLA, PGA and collagen** (two synthetic polymers and one natural material).

Applicants submit the claimed subject matter is a distinct and separate composition to the teachings of the prior art. As discussed in Martin and Doshi, only one

synthetic polymeric solution was electroprocessed. Therefore, there is **no motivation or suggestion to combine more than one synthetic polymer.**

Additionally, Martin and Doshi fail to teach or suggest electroprocessing of a **natural material**. Consequently, Martin and Doshi fail to motivate or suggest electroprocessing of a **natural material**. In fact, Applicants respectfully assert that Martin and Doshi teach that electroprocessed fibers consist **only of a synthetic polymer.**

Furthermore, Coffee fails to teach or suggest an electroprocessed material comprising two synthetic polymers and one or more natural materials.

In contrast, the instant invention comprises **simultaneously electroprocessing** a solution containing both a **natural material and two or more synthetic polymers** to form the electroprocessed material. Applicants respectfully submit that there is no motivation or suggestion in the prior art to simultaneously electroprocess one or more natural materials and two or more synthetic materials to derived the claimed subject matter.

As noted in the Office Action mailed January 19, 2007, the Examiner stated on page 7, **“the prior art does not disclose the feature that one solution containing one natural polymer and two or more synthetic polymers can be made and electroprocessed, in particular, electrospun”**. The Examiner also stated on page 3 of the Office Action mailed January 19, 2007 that **“the cited references do not disclose or suggest this feature”** (see last paragraph). Accordingly, Applicants have amended the claims herein to more accurately reflect the precise nature of the claimed subject matter.

Applicants respectfully submit there is no teaching, suggestion or motivation in the cited references alone, or in combination, that such a combination of elements would result in the claimed subject matter. It is to the Applicants' credit that the composition, as claimed, is demonstrated to be effective and useful, as disclosed in the Examples and Figures of the instant application.

Applicants submit Mechanic fails to satisfy the deficiencies of Coffee, Doshi and Martin because Mechanic discloses crosslinking of proteins by chemical or irradiation means, which is not an element of the independent claims.

Accordingly, Applicants respectfully submit they have overcome the rejection under 35 U.S.C. §103(a) and kindly request its withdrawal.

**CONCLUSION**

Based upon the amendments and remarks provided above, Applicants believe the pending Claims are in condition for allowance. A Notice of Allowance is therefore respectfully solicited.

No additional fees are believed due; however, the Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 11-0855.

If the Examiner believes any informalities remain in the application that may be corrected by Examiner's Amendment, or there are any other issues that can be resolved by telephone interview, a telephone call to the undersigned agent at (404) 815-6473 is respectfully solicited.

Respectfully submitted,

/zara doddridge/

By: Zara A. Doddridge, Ph.D.  
Reg. No. 59,098

KILPATRICK STOCKTON LLP  
Suite 2800  
1100 Peachtree Street  
Atlanta, GA 30309-4530  
Direct Telephone: 404-815-6473  
Direct Facsimile: 404-541-3435  
Attorney Docket No. 49122-292673